

1 Conte C. Cicala, State Bar No. 173554
CLYDE & CO US LLP
2 101 Second Street, 24th Floor
San Francisco, California 94105
3 Telephone: (415) 365-9800
Facsimile: (415) 365-9801
4

Attorneys for Plaintiff
5 MITSUI O.S.K. LINES, LTD.

6 Brendan Collins
GKG Law, P.C.
7 1055 Thomas Jefferson Street, NW
Washington DC 20007-4492
8 Email: bcollins@gkglaw.com

9 Attorneys *pro hac vice* for Defendant
SKY-WORLD INT'L EXPRESS, INC.

Paul Arenas, State Bar No. 167863
MARRON LAWYERS
3711 Long Beach, CA 90807
Telephone: (562) 432-7422
Facsimile: (562) 432-8682
Email: parenas@marronlaw.com

Attorneys for Defendant
SKY-WORLD INT'L EXPRESS, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

15 MITSUI O.S.K. LINES, LTD.,

16 Plaintiff,

17 v.

18 CB FREIGHT INT'L, INC., et al.,

19 Defendants.

Case No. 4:15-cv-05289-KAW

**STIPULATION TO SEVER DEFENDANT
CB FREIGHT INT'L, INC. FROM THE
ACTION AND ~~PROPOSED~~ ORDER
AS MODIFIED**

21 WHEREAS, this action was filed on November 18, 2015 and assigned to Magistrate Judge
22 Kandis A. Westmore;

23 WHEREAS, both Plaintiff Mitsui O.S.K. Lines, Ltd. ("MOL"), and Defendant Sky-World
24 Int'l Express, Inc. ("Sky-World") filed their consent to proceed before Magistrate Judge Westmore
25 on December 9, 2015 and March 15, 2016 respectively;

26 WHEREAS, Defendant CB Freight Int'l, Inc. ("CB Freight") has not appeared and,
27 therefore, has not consented to Magistrate Judge Westmore's jurisdiction;

28 WHEREAS, default was entered against CB Freight on March 2, 2016;

CLYDE & CO US LLP
101 Second Street, 24th Floor
San Francisco, California 94105
Telephone: (415) 365-9800

WHEREAS, on August 9, 2016, Plaintiff MOL and Defendant Sky-World filed a case management conference statement stating that they have reached a settlement and expect to file a dismissal within 90 days;

WHEREAS, it is necessary to sever this case as to Defendant CB Freight because it has not consented to proceed before Magistrate Judge Westmore;

NOW THEREFORE, Plaintiff MOL and Defendant Sky-World by and through their attorneys hereby stipulate and agree that Plaintiff's action against Defendant CB Freight be severed.

Dated: August 17, 2016

CLYDE & CO US LLP

By: /s/ Conte C. Cicala
Conte C. Cicala
Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

Dated: August 17, 2016

MARRON LAWYERS

By: /s/ Paul Arenas
Paul Arenas
Attorneys for Defendant
SKY-WORLD INT'L EXPRESS, INC.

Dated: August 17, 2016

GKG LAW, P.C.

By: /s/ Brendan Collins
Brendan Collins (*pro hac vice*)
Attorneys Defendant
SKY-WORLD INT'L EXPRESS, INC.

L.R. 5-1 (i) ATTESTATION

In compliance with Local Rule 5-1, I hereby attest that concurrence in the filing of this document has been obtained from the other signatory.

Dated: August 17, 2016

/s/ Conte C. Cicala
Conte C. Cicala

IT IS SO ORDERED, that Defendant CB Freight International, Inc., be severed from this case and that a new case be opened and directly assigned to Magistrate Judge Westmore.

DATED: 8/25/16

Kandis Westmore
KANDIS A. WESTMORE
United State Magistrate Judge

CLYDE & CO US LLP
101 Second Street, 24th Floor
San Francisco, California 94105
Telephone: (415) 365-9800